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OFFICE OF PETITIONS

In re Patent No. 5,663,496 :
Issue Date: September 1, 1997 :
Application No. 08/466,219 :
Filed: June 6, 1995 :
Attorney Docket No. 555642001400 :

ON PETITION

This is a decision on the request filed March 14, 2006, which is being treated as a request under 37 CFR 3.81(b)¹ to delete the name of the assignee on the front page of the above-identified patent by way of a Certificate of Correction.

The request is **GRANTED**.

Petitioner requests removal of The McLaughlin Group as the assignee from the front page of the Letters Patent as "no such assignment has been recorded." Petitioner further states that "[c]opies of the Notices of Recordation and Assignment documents for this matter are not available, as there was no assignment record for the '496 patent."

Petitioner is correct that the Office assignment records do not reflect that any assignment to The McLaughlin Group has been recorded against this file, or any continuing application. However, a review of the assignment records for the divisional application (Application No. 08/101,379; *see* MPEP 306) reflects that an assignment from the inventors to Animatronics, Inc., was recorded on November 22, 1993, and that an assignment from Animatronics, Inc. to McLaughlin Electronics was also recorded on November 22, 1993. Since the assignment document itself for divisional Application No. 08/101,379 is not viewable on the computer database, it is unclear whether the assignment from Animatronics, Inc. was an assignment of all rights, title and interest in the application or whether it was only a partial assignment. Nevertheless, as petitioner correctly points out, no assignment in this application (or for that matter, in any continuing application) was ever recorded to The McLaughlin Group. Therefore, it would be appropriate for issuance of a Certificate of Correction to delete The McLaughlin Group as an assignee.

¹ See MPEP 1309, subsection II; and Official Gazette of June 22, 2004.

The fee for filing a request under 37 CFR 3.81(b) is \$130. Accordingly, petitioner's deposit account will be credited an overpayment of \$270.

The patent file is being referred to the Certificates of Correction Branch for issuance of the requested Certificate of Correction.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3218. Inquiries regarding the issuance of a certificate of correction should be directed to the Certificate of Correction Branch at (571) 272-4200.

A handwritten signature in cursive script, appearing to read "Frances Hicks".

Frances Hicks
Petitions Examiner
Office of Petitions